

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>TAWHON EASTERLY,</b>	)	<b>CASE NO. 4:06 CV 00186</b>
	)	
<b>Plaintiff,</b>	)	<b>JUDGE PETER C. ECONOMUS</b>
	)	
<b>v.</b>	)	
	)	
<b>MICHAEL J. BUDD, et al.,</b>	)	<b>JUDGMENT</b>
	)	
	)	
<b>Defendants.</b>	)	

This matter is before the Court upon Defendants' Motion to Dismiss Plaintiff's Amended Complaint. See (Dkt. # 10).

For the reasons presented in the Memorandum Opinion and Order filed contemporaneously herewith and incorporated by reference, the Court hereby orders that the Defendants' Motion to Dismiss Plaintiff's Amended Complaint, see (Dkt. # 10), is **GRANTED in PART and DENIED in PART**. The Court determines that the statute of limitations bars Plaintiff's claims advanced pursuant to 42 U.S.C. § 1983 (the First, Second, and Sixth Claims for Relief). Said claim are hereby **DISMISSED WITH PREJUDICE**. The Court declines to exercise supplemental jurisdiction over the remaining state law claims. Said claims are **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED**

/s/ *Peter C. Economus* - August 18, 2006

**PETER C. ECONOMUS**

**UNITED STATES DISTRICT JUDGE**